

REMARKS

This amendment responds to the Office Action dated April 27, 2009, in which the Examiner objected to claim 7-8 and rejected claims 1-8 under 35 U.S.C. § 112, first and second paragraphs, and under 35 U.S.C. § 102(e).

Attached to this amendment is a certified copy of the priority document. Although a certified copy of the priority document should have been forwarded from the International Bureau, Applicants have filed a copy as a convenience. Therefore, Applicants respectfully request the Examiner indicate box 12(a) (3) on PTO-326, rather than box 12(c).

As indicated above, a minor informality in claim 7 has been corrected. Therefore, Applicants respectfully request the Examiner withdraws the objection to claims 7-8.

Claims 1-8 were rejected under 35 U.S.C. § 112, first paragraph. Applicants respectfully bring the Examiner's attention to lines 9-12 of the Abstract, page 13, line 13 through page 14, line 15 as well as FIG. 3 to provide support for converting the image data into first and second image data both having the second line frequency. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claim 1-8 under 35 U.S.C. § 112, first paragraph.

As indicated above, claims 1, 4 and 7 have been amended in order to more particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1-8 under 35 U.S.C. § 112, second paragraph.

Claims 1-8 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Kume, et al.* (U.S. Publication No. 2006/0256236).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 102(e). The claims have been reviewed in light of the Office Action, and for reasons which will

be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

Applicants respectfully point out that 35 U.S.C. § 102(e) states, "...except that an international application filed under the treaty defined in section 351(a) shall have the effect of for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(a) of such treaty in the English language." Applicants respectfully point out that the international application of *Kume, et al.* was not published in English, and therefore does not have an effective U.S. date to use as a reference under 35 U.S.C. § 102(e) until March 27, 2006, which is after Applicants priority date. Therefore, Applicants respectfully submit that *Kume, et al.* is not a proper reference under 35 U.S.C. § 102(e). Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1-8 under 35 U.S.C. § 102(e).

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge to our Deposit Account No. 50-0320.

Respectfully submitted,

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